



State of Utah
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

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February 7, 1995

CERTIFIED RETURN RECEIPT
074 978 930

Robert Fausett
Box 17
Fort Duchesne, Utah 84026

Re: Change in Permit Status, Esther W. Fausett (Robert Fausett), Cedar Buttes #1 Mine, S/047/028, Uintah County, Utah

Dear Mr. Fausett:

Your Notice of Intention to Commence Small Mining, general location map, and mine site map received by the Division December 20, 1994 have been reviewed. A site inspection was also performed to discuss your latest proposal. The mine site map proposes that the current mining disturbance be divided into three categories: 1) areas under the control of Robert Fausett, 2) disturbances under Duchesne County Mining Operation, and 3) areas to be reclaimed Spring 1995. Acreages measured off the mine site map for these areas are 2.7, 5.1, and 8.3 acres, respectively. The total area disturbed at the present time is approximately 16 acres.

Currently, Duchesne County has a "business" agreement with you allowing them to mine and remove a limited amount of asphalt per year. During the December 29, 1994 inspection, the County was working the entire length of the pit, not just the area shown on the map as "Duchesne County Mining Operations." During the inspection you stated your personal operations would include crushing the oversize boulders around the perimeter of the County's operations and salvaging the asphalt material in the southern reclamation area. These activities would occur outside of the area shown on the map as "Under Robert Fausett."

Given these circumstances, the Division will require the submission of a Notice of Intention to Commence Large Mining Operations for these operations. That Notice can be submitted listing you (Fausetts), as owners and operators of the mine, or you as property owners and the County as operator. Your access to the asphalt deposit and/or asphalt product would be handled in a business agreement between you and the County. The

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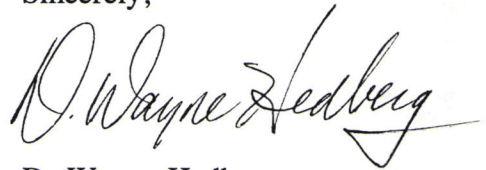
Division would not be concerned with the details of that agreement as long as the mine is operated and reclaimed in compliance with the approved large mining and reclamation plan.

In its present status, the current operation is not in compliance with the Minerals Rules by exceeding five acres of disturbance, by not having an approved LMO-NOI, and by not having a reclamation surety posted. At this time, the Division will not restrict your operations in consideration of the cooperation and good faith efforts you and Duchesne County have shown in complying with our permitting requirements.

The Division requests the initial submission of a LMO-NOI application for the Cedar Buttes #1 Mine Operations within sixty (60) days of your receipt of this letter. We suggest scheduling a meeting with Division staff to review a draft copy of the LMO-NOI submission within thirty (30) days after the receipt of this letter. A copy of the current LMO-NOI form is enclosed for your use. The new file number for this operation will be **M/047/028.**

If you have any questions or concerns regarding this letter, please do not hesitate to call me or Wayne Hedberg. Thank you in advance, for your cooperation in completing this permitting action in an expeditious manner.

Sincerely,



D. Wayne Hedberg
Permit Supervisor
Minerals Regulatory Program

jb
Enclosure: LMO-NOI form
cc: Leon Fillinghim, Duchesne County
Lowell Braxton, DOGM
Minerals staff, DOGM (route)
M47-28.LET